

**MINUTES OF THE  
GOVERNMENT OPERATIONS INTERIM COMMITTEE**

Wednesday, September 18, 2013 – 9:06 a.m. – Room 445 State Capitol

**Members Present:**

Rep. Jack R. Draxler, House Chair  
Sen. Jim Dabakis  
Sen. Lyle W. Hillyard  
Sen. Scott K. Jenkins  
Sen. Kevin T. Van Tassell  
Rep. Janice M. Fisher  
Rep. Keith Grover  
Rep. Ken Ivory  
Rep. Brian S. King  
Rep. Michael E. Noel  
Rep. Lee B. Perry  
Rep. Kraig Powell

**Members Absent:**

Sen. Margaret Dayton, Senate Chair  
Rep. John G. Mathis  
Rep. Douglas V. Sagers

**Staff Present:**

Mr. Leif G. Elder, Policy Analyst  
Ms. Tiffany Stanley, Policy Analyst  
Mr. Thomas R. Vaughn, Associate General Counsel  
Ms. Anna M. Allen, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Draxler called the meeting to order at 9:17 a.m.

Mr. Jerry Howe, Managing Policy Analyst, Office of Legislative Research and General Counsel, introduced Ms. Tiffany Stanley as the new policy analyst for the committee.

**MOTION:** Rep. Ivory moved to approve the minutes of the July 17, 2013, meeting. The motion passed unanimously with Rep. Grover, Rep. Noel, and Rep. Perry absent for the vote.

**2. 2014 Draft Legislation "Candidate Certification Amendments"**

Sen. Deidre Henderson distributed and discussed "Fact Sheet: MOVE Act," which described the Military and Overseas Voter Empowerment Act, and a calendar handout that shows current election dates and potential alternatives to those dates to avoid scheduling conflicts in 2014.

Mr. Mark Thomas, Office of the Lieutenant Governor, described draft legislation "Candidate Certification Amendments" (2014FL-0325/003) which, for the 2014 calendar year only, amends provisions of Utah Code Title 20A, Election Code, relating to the deadlines to certify candidates for a primary election. He also distributed a letter addressed to Sen. Dabakis and Republican Party Chair James Evans regarding the draft legislation. Mr. Thomas and Sen. Henderson responded to questions from the committee.

Mr. Vaughn recommended that if the committee would like to approve the legislation, the committee should also vote to add an immediate effective date to the legislation.

**MOTION:** Sen. Jenkins moved to add an immediate effective date and to pass draft legislation "Candidate Certification Amendments" with a favorable recommendation from the committee. The motion passed unanimously with Sen. Hillyard, Rep. Grover, Rep. Perry, and Rep. Powell absent for the vote.

**3. Special Election Dates**

Mr. Thomas distributed "Utah Election Dates" and discussed the possibility of combining special elections with municipal primary elections in August of odd-numbered years. He also stated that potential legislation on this issue would hopefully increase voter turnout for special elections. Mr. Thomas responded to questions from the committee.

Mr. Lincoln Shurtz, Utah League of Cities and Towns, explained why 2013 General Session H.B. 40, "Scheduling of Special Elections," did not pass. He also responded to questions from the committee.

Mr. Scott Hogensen, Chief Deputy Clerk Auditor, Utah County, and Chairman, Clerks Legislative Policy Committee, discussed the importance of consistency and predictability in special elections. He opined that special election dates should conform to the primary and the general election dates to preserve voter turnout.

#### **4. Local School Board Disclosures**

Mr. Thomas distributed "Local School Board Disclosures" and discussed whether reporting deadlines for candidates of a local school board should match county or state reporting deadlines. He stated that local school board candidates have the same reporting deadlines as state school board candidates, but local candidates report to the county, not the state.

Mr. Hogensen recommended that local school board candidates should have the same reporting deadlines as county candidates.

#### **5. Statutorily Required Reports from the Office of the Lieutenant Governor**

Mr. Thomas reported on each of the following topics:

- ***Election Day Voting Centers (Utah Code §20A-3-704)*** — Mr. Thomas explained the purpose of Election Day voting centers and reported that the Office of the Lieutenant Governor has received positive feedback about the centers from county clerks and the voters. He indicated that the Office of the Lieutenant Governor will report on the number of centers available and the extent to which they are used in November 2015, when another report is due to the committee.
- ***Voting by Mail (Utah Code §20A-5-410)*** — Mr. Thomas discussed the progress of a study by the Office of the Lieutenant Governor on the possibility of doing all voting by mail by 2015.
- ***Voter Information Pamphlet Notice (Utah Code §20A-7-702)*** — Mr. Thomas explained that the voter information pamphlet notice is a postcard that provides information on how a person can obtain voter information online or request delivery of a voter information pamphlet by mail. Mr. Thomas reported that the Office of the Lieutenant Governor has received mostly positive feedback related to the voter information pamphlet notices. For example, he stated that voters reported that the online information they were directed to through the notice was more specific than what had traditionally been provided in the voter information pamphlets. Mr. Thomas stated that the Office of the Lieutenant Governor received approximately 25,000 requests for the pamphlet by mail in 2012.
- ***Signing an Online Petition (Utah Code §67-1a-14)*** — Mr. Thomas distributed and discussed "Office of the Lieutenant Governor Study of Signing a Petition Online." He presented background information on the study and expressed that the Office of the Lieutenant Governor is confident that a secure system that would allow for signing an online petition can be implemented successfully.

Mr. Thomas responded to questions from the committee.

#### **6. Addressing Federal Funding Cuts to State Agencies**

Rep. Ivory introduced this issue by describing the current economic situation in the United States, specifically the likelihood of another sequestration and the increase in interest on the national debt. He explained that this economic climate affects local agencies when budget cuts get passed down from federal, to state, to local agencies. He indicated that sometimes, the only way for the local agency to raise the revenue is to assess a fee.

Mr. Rick Davis, City Manager, West Jordan, described his experience in Arizona when the state attempted to address its budget deficit by passing the financial burden on to the cities in the form of cuts to state-shared revenue. He recommended that Utah work to address financial challenges at the state level rather than passing them on to local agencies that may only have the option of cutting services to absorb the budget cuts.

Rep. Ivory and Mr. Davis responded to questions from the committee.

Mr. Paul Ashton, General Manager, White City Water Improvement District, commented on the difficulties of having to pass fees on to ratepayers. He recommended that the state issue a tax instead of passing fees on to local agencies.

#### **7. Committee Business / Adjourn**

**MOTION:** Sen. Jenkins moved to adjourn the meeting. The motion passed unanimously with Sen. Van Tassell and Rep. Grover absent for the vote.

Chair Draxler adjourned the meeting at 11:33 a.m.